

REMARKS

Claims 1-16 are pending in the application. Claims 1-16 are rejected. None of the claims have been amended. No claims have been added or canceled. Therefore, claims 1-16 remain pending in the application.

The specification has been amended to correct a typographical error with respect to a Figure number. No new matter has been introduced.

Claims 1-16 stand provisionally rejected under the judicially created doctrine of obviousness-type double patenting over claims 1-23 of co-pending U.S. Patent Application No. 10/820,673, which is assigned to the assignee of the present application. A Terminal Disclaimer is being submitted herewith, thereby obviating the obviousness-type double patenting rejection with respect to claims 1-16.

Claims 1-16 also stand rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 7,120,250 (“Candelore”).

Independent claims 1 and 10 recite, in part, a source trust authority (SOTA) that corresponds to a source. The SOTA decides with regard to a propagated policy that a particular type of action cannot be taken with respect to content as delivered through a protected media path. The SOTA informs a media base of a refusal to take such action. The SOTA also recognizes that the refusal may be rectified by way of a particular enabler, and provides the particular enabler to an application by way of the media base. The application receives the enabler at an interface. The interface applies a common interaction procedure to run the enabler to obtain the data necessary to respond to the refusal. The SOTA decides with regard to the propagated policy and based at least in part on the responded refusal that the particular type of action can be taken with the content as delivered through the protected media path.

As noted in the present specification, if a SOTA refuses to allow a requested action to be taken with respect to content, the SOTA may not allow the content to be released to a protected media path (*Specification* at ¶ [0069]). Such a refusal would normally end the process, which may result in a less-than-satisfactory experience for a user of an application (*id.* at ¶ [0070]).

Thus, in an embodiment, the SOTA may provide one or more refusal responder enablers, each for responding to a particular refusal (*id.* at ¶ [0072]). The application may include a responder interface for interfacing with each enabler (*id.*). Each enabler may include all information and methods necessary for the application to obtain whatever information or data that is necessary to respond to the refusal that necessitated such enabler (*id.* at ¶ [0075]). After the necessary data or information is obtained, the interface may notify the SOTA that the response as entailed by the enabler is complete (*id.* at ¶¶ [0077] and [0078]). Upon being notified that the response is complete, the SOTA may again decide whether the action that was originally refused can be taken (*id.* at ¶ [0079]). The SOTA may allow the content to be released to the protected media path if it allows the requested action to be taken (*id.* at ¶ [0080]).

Candelore, by contrast, does not disclose any process for resolving issues associated with a customer's digital rights. More specifically, Candelore discloses a system that enables a digital content provider to supply content to customers under multiple digital rights management (DRM) schemes (Candelore at col. 8, ll. 64-67). As shown in FIGs. 2 and 6, selected portions of a content file stored in a content database 130 of a digital content provider 104 are duplicated and encrypted under multiple encryption schemes (*e.g.*, DRM A and DRM B) (*id.* at col. 4, ll. 58-61; col. 5, ll. 9-12). The content file may then be downloaded or streamed to a customer's computer (*id.* at col. 7, ll. 45-47).

As explained in Candelore with respect to FIG. 7, “[w]hen the customer wishes to initiate playback at 714, the DRM data are read at 718, so that the software on the customer's computer or other playback device can determine if the digital rights acquired by the customer are valid (*i.e.*, not expired or otherwise exhausted)” (*id.* at col. 7, ll. 47-52). “If the software determines that the digital rights have expired or been exhausted at 722, ***the playback is aborted at 726 and the process ends at 730***” (*id.* at col. 7, ll. 52-54) (emphasis added). In other words, the system in Candelore does not attempt to address or resolve any of the issues related to the customer's digital rights after the customer has been denied access to the digital content.

Thus, Applicants respectfully submit that Candelore does not disclose, teach, or suggest a SOTA that recognizes that a refusal may be rectified by way of a particular enabler, and that provides the particular enabler to an application.

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For at least the foregoing reasons, Applicants respectfully submit that independent claims 1 and 10 patentably define over the cited reference and are, therefore, allowable.

As claims 2-9 depend from claim 1, and claims 11-16 depend from claim 10, Applicants further submit that the dependent claims are likewise allowable.

Accordingly, Applicants respectfully request that the rejection of claims 1-16 under 35 U.S.C. § 102(b) be withdrawn.

Applicants respectfully submit that the claims are allowable and that the present application is in condition for allowance. Reconsideration of the application and an early Notice of Allowance are respectfully requested. In the event that the Examiner cannot allow the present application for any reason, the Examiner is encouraged to contact the undersigned attorney, Bryan T. Giles at (215) 564-8954, to discuss the resolution of any remaining issues.

Respectfully submitted,

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/Bryan T. Giles/
Bryan T. Giles
Registration No. 60,078

Woodcock Washburn LLP
Cira Centre
2929 Arch Street, 12th Floor
Philadelphia, PA 19104-2891
Telephone: (215) 568-3100
Facsimile: (215) 568-3439